

United States District Court
Southern District of New York

INDUSTRIAS DE PAPEL R. RAMEZioni,
S.A.,

Plaintiff,

- against -

CREDIT SUISSE FIRST BOSTON, ET AL.,

Defendants.

11 Civ. 5449(JGK)

MEMORANDUM OPINION AND
ORDER

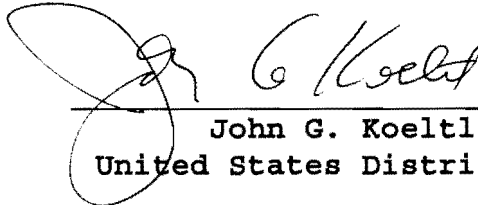
JOHN G. KOELTL, District Judge:

On its face, the complaint in this case alleges jurisdiction solely on the basis of diversity of citizenship pursuant to 28 U.S.C. § 1332(a). However, the plaintiff fails to allege complete diversity. The defendants advise that "Credit Suisse First Boston" is the former name of Credit Suisse, a bank incorporated in and having its principal place of business in Switzerland. A corporation is, for diversity purposes, "a citizen of any State by which it has been incorporated and of the State where it has its principal place of business." 28 U.S.C. § 1332(c)(1). Hence, Credit Suisse is an alien. Because the plaintiff is also, admittedly, an alien, there is an absence of jurisdiction based on diversity of citizenship. See Corporacion Venezolana de Fomento v. Vintero Sales Corp., 629 F.2d 786, 789-790 (2d Cir. 1980) ("[T]he fact

that alien parties were present on *both* sides would destroy complete diversity.") (emphasis in original).

The case is dismissed without prejudice for lack of subject matter jurisdiction. The clerk is directed to close this case.
SO ORDERED.

Dated: New York, New York
August 29, 2011



John G. Koeltl
United States District Judge